

Application No.: 10/640,368
Amendment and Response dated May 8, 2007
Reply to Office Action of February 8, 2007
Docket No.: 760-235 DIV
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Remarks/Arguments:

Introduction

Claims 38-54, 62 and 63 are pending. Claims 40, 44, 46, 48, 52 and 54 are withdrawn. Independent claims 38 and 63 have been amended, *inter alia*, to describe the flap as being disposed between two layers of graft material. Support for these amendments may be found in the specification at page 41, line 9, through page 42, line 14. Dependent claims, as necessary, have been amended for antecedent basis following the amendments to the independent claims. No new matter is introduced with these amendments.

Applicants agree that claim 48 should be listed as withdrawn and that claims 48 and 51 are not generic. Further, attorney for the applicants respectfully submit that claim 63 as amended is generic.

Section 112 Rejections

Claim 62 has been amended to recite a limitation of “the member” at former line six, which previously read “the transversely oriented member”. Attorney for the applicants respectfully submit that this amendment obviates the Section 112 rejection.

Section 102 Rejections

Claims 38, 39, 41-43, 45, 47, 49, 50, 51, 53, 62 and 63 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,245,100 to Davila et al. (hereinafter “Davila”). Applicants respectfully traverse.

Davila discloses cuffs 73, 75 formed by folding terminal graft portions 72, 74. (Davila, column 5, lines 6-9). The folded graft portions are bounded to an outer stent to form the cuffs 73, 75. (Davila, column 5, lines 6-9).

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Davila, however, fails to disclose, teach or suggest the methods of independent claims 38 and 63 because Davila fails to disclose, *inter alia*, that its cuffs may be securable disposed between two additional layers of graft materials. Further, Davila fails to disclose any methods for achieving the same.

Thus, Davila fails to disclose all of the limitations of independent claims 38 and 63. Reconsideration and withdrawal of rejections of claims 38 and 63, and all claims depending therefrom, are respectfully requested.

Summary

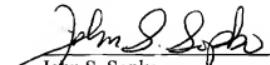
Therefore, Applicants respectfully submit that independent claims 38 and 63, and all claims dependent therefrom, are patentably distinct. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited, including allowance of all withdrawn claims depending from the patentably distinct independent claims.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Respectfully submitted,



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